

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q97226

Jun-ichi YAMAKI, et al.

Appln. No.: 10/599,393

Group Art Unit: 1745

Confirmation No.: 8040

Examiner: Unknown

Filed: September 27, 2006

For: POSITIVE ELECTRODE ACTIVE MATERIAL FOR NON-AQUEOUS ELECTROLYTE
SECONDARY CELL

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

ATTN: Office of Initial Patent Examination
Filing Receipt Correction
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Official Filing Receipt for the above-identified application and request the following corrections:

Assignment For Published Patent Application**Jun-ichi YAMAKI****Shigeto OKADA****SUMITOMO CHEMICAL, CO., LTD.****Title**Positive Electrode Active Material For ~~Non-Aqueous~~ **Non-Aqueous** Electrolyte Secondary Cell

Verification for the requested corrections are indicated on the Declaration and Power of Attorney for Patent Application and Assignment filed September 27, 2006 and September 28, 2006.

Respectfully submitted,



Sunhee Lee
Registration No. 53,892

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 19, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/599,393	09/27/2006	1745	1260	Q97226	4	2

CONFIRMATION NO. 8040

23373
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

DOCKETED

MAY 24 2007

FILING RECEIPT



OC000000023981800

Date Mailed: 05/22/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jun-ichi Yamaki, Kasuga, JAPAN;
Shigeto Okada, Fukuoka, JAPAN;
Toshiyasu Kiyabu, Nagasaki, JAPAN;
Kenji Nakane, Tsukuba, JAPAN;

Assignment For Published Patent Application
Jun-ichi YAMAKI, Shigeto OKADA, and SUMITOMO CHEMICAL, CO., LTD.

Power of Attorney: The patent practitioners associated with Customer Number 23373.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP05/06117 03/30/2005

Foreign Applications

JAPAN 2004-104338 03/31/2004

If Required, Foreign Filing License Granted: 05/21/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/599,393**.

Projected Publication Date: 08/30/2007

Non-Publication Request: No

Early Publication Request: No

Title

Positive Electrode Active Material For Non-Aqueous Electrolyte Secondary Cell Non-Aqueous

Preliminary Class

429

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4168).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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(08)

ASSIGNMENT

As a below named inventor, I hereby declare that:

IN CONSIDERATION of the sum of One Dollar(\$1.00) or the equivalent thereof, and other good and valuable consideration paid to me citizen of Japan by Jun-ichi Yamaki, a national of Japan, residing at 4-1-2-103, Kasugakoen, Kasuga-shi, Fukuoka, Japan, Shigeto Okada, a national of Japan, residing at 1-2-6-1311, Momochihama, Sawara-ku, Fukuoka-shi, Fukuoka, and SUMITOMO CHEMICAL COMPANY, LIMITED, a corporation organized under the laws of Japan, located at 27-1, Shinkawa 2-chome, Chuo-ku, Tokyo, Japan, respectively, receipt of which is hereby acknowledged I do hereby sell and assign to said Jun-ichi YAMAKI, Shigeto OKADA and, SUMITOMO CHEMICAL COMPANY, LIMITED, their successors and assigns, all my right, title and interest, in and for the United States of America, in and to

POSITIVE ELECTRODE ACTIVE MATERIAL FOR NON-AQUEOUS ELECTROLYTE SECONDARY CELL

invented by me (if only one is named below) or us (if plural inventors are named below) and described in the application for United States Letters Patent therefor, executed on even date herewith,

and all United States Letters Patent which may be granted therefor, and all divisions, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by said Jun-ichi YAMAKI, Shigeto OKADA and, SUMITOMO CHEMICAL COMPANY, LIMITED, their successors, assigns or other legal representatives, to the full end of term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me or us if this assignment and sale had not been made;

And I hereby agree to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of the above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reviewed or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said assignee;

And I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said Jun-ichi YAMAKI, Shigeto OKADA and, SUMITOMO CHEMICAL COMPANY, LIMITED,

Signed on the date(s) indicated aside signatures:

	INVENTOR(S) (発明者フルネームサイン)	Date Signed (署名日)	WITNESSES (立会人サイン)
1)	<u>Jun-ichi YAMAKI</u> Jun-ichi YAMAKI	<u>August 18, 2006</u>	<u>Takayuki Doi</u>
2)	<u>Shigeto OKADA</u> Shigeto OKADA	<u>August 18, 2006</u>	<u>Takayuki Doi</u>
3)	<u>Toshiyasu KIYABU</u> Toshiyasu KIYABU	<u>August 21, 2006</u>	<u>Yukiko Shimada</u>
4)	<u>Kenji NAKANE</u> Kenji NAKANE	<u>September 1, 2006</u>	<u>Manji Sasaki</u>
5)	_____	_____	_____
6)	_____	_____	_____
7)	_____	_____	_____

Declaration and Power of Attorney for Patent Application

特許出願宣言書および委任状

Japanese Language Declaration

私は下記発明者として以下の通り宣言します：

私の住所、郵送先、および国籍は私の氏名の後に記載された通りです。

下記名称の発明に関し請求範囲に記載され特許出願がされている発明内容につき、私が最初、最先かつ唯一の発明者（下記氏名が一つの場合）であるか、あるいは最初、最先かつ共同発明者（下記氏名が複数の場合）であると信じます。

下記項目に x 印が付いている場合を除き、上記発明の明細書は本書に添付されます。

- ☐ 上記発明は米国出願番号あるいは PCT 国際出願番号 _____（確認番号 _____）として _____ 年 _____ 月 _____ 日に提出され、
_____ 年 _____ 月 _____ 日に補正されました（該当する場合）。

私は特許請求範囲を含み上述の補正で補正された前記明細書の内容を検討し、理解していることをここに表明します。

私は連邦規則法典第 37 編 1 条 56 項に定義される特許性に肝要な情報について開示義務があることを認めます。

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

POSITIVE ELECTRODE ACTIVE MATERIAL FOR
NON-AQUEOUS ELECTROLYTE SECONDARY CELL

the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on March 30, 2005
as United States Application Number or PCT
International Application Number
PCT/JP2005/006117 (Conf. No. _____)
and was amended on _____
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Japanese Language Declaration

私は米国法典第 35 編 119 条(a)-(d)あるいは 365 条(b)に基づき特許あるいは発明者証書の下記外国出願、または 365 条(a)に基づき米国以外の少なくとも 1 ヶ国を指定した下記 PCT 外国出願についての外国優先権をここに主張するとともに、下記項目に x 印を付けることにより優先権を主張する出願以前の出願日を有する特許あるいは発明者証書の外国出願あるいは PCT 外国出願を示します。

Prior foreign application(s)

外国での先行出願

Priority Claimed

優先権の主張

Yes
有り

No
無し

2004-104338

(Number)
(番号)

Japan

(Country)
(国名)

31/03/2004

(Day/Month/Year Filed)
(出願年月日)

☒

(Number)
(番号)

(Country)
(国名)

(Day/Month/Year Filed)
(出願年月日)

私は米国法典第 35 編 119 条(e)に基づき下記の米国仮特許の利益をここに主張します。

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

私は米国法典第 35 編 120 条に基づき下記米国特許出願、あるいは 365 条(c)に基づき米国を指定する下記 PCT 国際特許出願の利益をここに主張し、本特許出願内特許請求範囲の各項目の内容が米国法典第 35 編 112 条の最初の項に規定される方法により先行米国あるいは PCT 国際特許出願で開示されていない限りにおいて連邦規則法典第 37 編 1 条 56 項に定義される特許性に肝要で、先行特許出願の出願日から本特許出願の国内あるいは PCT の出願日までの間に入手された情報について開示義務があることを認めます。

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status: patented, pending, abandoned)
(状態: 特許成立済、係属中、放棄済)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status: patented, pending, abandoned)
(状態: 特許成立済、係属中、放棄済)

私は本宣誓書内で私自身の知識に基づいてなされたすべての陳述が真実であり、情報および信ずるところに基づいてなされたすべての陳述が真実であると信じられていることをここに宣言し、さらに故意になされた虚偽の陳述等々は米国法典第 18 編 1001 条に基づき罰金あるいは拘禁または両方による処罰にあたり、またかような故意による虚偽の陳述はそれに基づく特許出願あるいは成立特許の有効性を危うくする可能性があることを認識した上でこれらの陳述をなしたことを宣言します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration

委任状：私は下記の米国特許商標局（USPTO）顧客番号のもとに記載される SUGHRUE MION 法律事務所のすべての弁護士を、同顧客番号のもとに記載される個々の弁護士は Sughrue Mion 法律事務所のための自由裁量に基づき変更され得ることを認識した上で、本特許出願の手続きおよびそれに関わる特許商標局との業務を遂行する弁護士として指名し、本特許出願に関するすべての通信が同 USPTO 顧客番号のもとに提出された住所宛に送付されることを要請します。

POWER OF ATTORNEY: I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

23373

23373

PATENT TRADEMARK OFFICE

電話連絡は下記へ：（名前および電話番号）

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唯一あるいは第一の発明者名	Full name of sole or first inventor Jun-ichi YAMAKI
発明者の署名 日付	Inventor's signature Date August 18, 2006
住所	Residence Kasuga, Japan
国籍	Citizenship Japan
郵送先	Mailing Address 4-1-2-103, Kasugakoen, Kasuga-shi, Fukuoka, Japan
第二の共同発明者（該当する場合）	Full name of second joint inventor, if any Shigeto OKADA
第二発明者の署名 日付	Second inventor's signature Date August 18, 2006
住所	Residence Fukuoka, Japan
国籍	Citizenship Japan
郵送先	Mailing Address 1-2-6-1311, Momochihama, Sawara-ku, Fukuoka-shi, Fukuoka, Japan

第三の共同発明者 (該当する場合)		Full name of third joint inventor, if any Toshiyasu KIYABU	
第三発明者の署名	日付	Third inventor's signature Toshiyasu Kiyabu	Date August 27, 2006
住所		Residence Nagasaki, Japan	
国籍		Citizenship Japan	
郵送先		Mailing Address 3-57-2-712, Bunkyo-machi, Nagasaki-shi, Nagasaki, Japan	
第四の共同発明者 (該当する場合)		Full name of fourth joint inventor, if any Kenji NAKANE	
第四発明者の署名	日付	Fourth inventor's signature Kenji Nakane	Date September 1, 2006
住所		Residence Tsukuba, Japan	
国籍		Citizenship Japan	
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第五の共同発明者 (該当する場合)		Full name of fifth joint inventor, if any	
第五発明者の署名	日付	Fifth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵送先		Mailing Address	
第六の共同発明者 (該当する場合)		Full name of sixth joint inventor, if any	
第六発明者の署名	日付	Sixth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵送先		Mailing Address	